# THE CITY OF SAN DIEGO, CALIFORNIA MINUTES FOR REGULAR COUNCIL MEETING

OF

MONDAY, NOVEMBER 16, 1987 AT 2:00 P.M.

# IN THE COUNCIL CHAMBERS - 12TH FLOOR

## CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:02 p.m. with no quorum present. A quorum was present at 2:05 p.m. with Council Member Ballesteros not present. Deputy Mayor McColl adjourned the meeting at 6:30 p.m. to Tuesday, November 17, 1987 at 10:00 a.m. ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Vacant
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Ballesteros-present Clerk-Abdelnour (jb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Vacant
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Ballesteros-present

ITEM-10: INVOCATION

Invocation was given by Jim Cartmill, Associate Director of San Diego Campus Life.

FILE LOCATION: MINUTES

Nov-16-1987

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Wolfsheimer.

FILE LOCATION: MINUTES

## ITEM-30: PROCLAIMED

Proclaiming November 15th through November 21st, 1987 to be "San Diego Arts Week '87" in celebration of "National Arts Week '87"; calling upon all citizens to recognize the important role played by the arts in shaping our cultural identity.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A025-039.)

MOTION BY CLEATOR TO APPROVE. Second by McColl. Passed by the

following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

\* ITEM-50: (O-88-73) ADOPTED AS ORDINANCE O-16977 (New Series)

Amending Ordinance O-16867 (New Series), as amended, entitled "An Ordinance Establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for the Fiscal Year 1987-88" by amending Exhibit B thereto to create and add a new class entitled "Lead Fire Dispatcher"; by amending Exhibit A-1 of said Ordinance to provide a new salary rate number 57.4 for said position in the Classified Service; amending Resolution R-268320 to place the newly created class in the technical representation unit; and amending Resolution R-268319 to approve and declare the above newly created class as eligible for premium rate overtime by placing it in Group A of said overtime eligibility Resolution R-268319. (Introduced on 11/2/87. Council voted 8-0. District 4 vacant.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A136-154.)

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant,

Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor

O'Connor-yea.

# \* ITEM-51: (O-87-37 Rev.3) ADOPTED AS ORDINANCE O-16978 (New Series)

#### 19871116

Amending the San Diego Municipal Code by amending Chapter II, Article 2, Division 2, Section 22.0207 relating to Special Events; amending Chapter V, Article 4, Division 1, Section 54.0106 relating to Public Hazards, and Article 9.5, Division 2, Section 59.5.0202 relating to Noise Abatement and Control; amending Chapter VI, Article 3, Section 63.02.24 relating to the Use of Public Parks and Beaches Regulated -- Celebration, Parade, Picnic, Etc.; and amending Chapter VIII, Article 1, Section 81.03 relating to Traffic Control and Article 2, Section 82.23 relating to Temporary Closure of City Roadways -- Permits. (Introduced on 11/2/87. Council voted 8-0. District 4

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A136-154.)

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant,

Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor

O'Connor-yea.

vacant.)

# \* ITEM-52: (O-87-256 Rev.4) ADOPTED AS ORDINANCE O-16979 (New Series)

Amending Chapter X, Article 1, of the San Diego Municipal Code by adding Division 19, Sections 101.1900 through 101.1910 relating to the San Diego Residential Hotel Regulations.

(Introduced as amended on 11/2/87. Council voted 6-0.

District 2 and Mayor not present. District 4 vacant.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A136-154.)

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant,

Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor

O'Connor-ineligible.

#### \* ITEM-100: (R-88-597) ADOPTED AS RESOLUTION R-269713

Accepting the low bid of \$576,500 and awarding a

contract to L. R. Hubbard Construction Co., Inc. for Murray Ridge Neighborhood Park Development; authorizing the City Auditor and Comptroller to transfer \$116,726 from Capital Outlay Fund 30245, CIP-20-011, Restroom Improvements; \$37,020 from Capital Outlay Fund 30245, CIP-29-603, Park Irrigation Systems Upgrade; and a total of \$52,837 in PSD Funds as follows: \$3,691 - PSD 14380, \$18,532 - PSD 14381; \$6,143 - PSD 14382; \$12,232 - PSD 14383; \$1,744 - PSD 11391; \$2,535 - PSD 11394; \$2,075 -PSD 14340; \$2,228 - PSD 14342; \$308 - PSD 14351; \$3,349 - PSD 14360 to CIP-29-204, Murray Ridge Neighborhood Park Development; authorizing the expenditure of an amount not to exceed \$206,583 (\$153,746 from Capital Outlay Fund 30245 and \$52,837 from Park Service District Funds) to supplement funds previously authorized by Resolution R-268924, adopted on July 27, 1987, for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-9135) (Serra Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: This project will construct park and recreation improvements at Murray Ridge Neighborhood Park, an 11-acre undeveloped site located directly north of Mission Center Road between Interstate 805 and Murray Ridge Road. Improvements will include an open play lawn, a children's play equipment area, multi-purpose courts, picnic facilities, horseshoe pitching area, a parking lot for 25 cars, an exercise "par course", concrete walkways, landscaping and an automatic irrigation system. This project will also provide curbs, sidewalk and paving for the Celestine Avenue cul-de-sac, which is adjacent to the park. The design of these improvements is consistent with the General Development Plan approved by PF&R in April 1987. Bids for the construction contract were opened on September 10, 1987 and four bids were received. The low bid from L.R. Hubbard Construction Co. for \$576,500 was 36 percent over the estimate of \$425,000. The remainder of the bids for \$612,736, \$665,000 and \$719,000 were within reasonable proximity to the low bid. It appears that the estimate prepared by the consultant was erroneously low and that we received competitive bids in response to our advertisement. It is felt that readvertising for bids would not result in securing a lower bid and would only delay the project. Therefore, it is recommended that the contract be awarded to

the low bidder, L.R. Hubbard Construction Co., in the amount of \$576,500.

Aud. Cert. 8800420.

FILE LOCATION: CONT - L.R. Hubbard Construction Co. CONTFY88-1

COUNCIL ACTION: (Tape location: A160-190.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Ballesteros.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

### \* ITEM-101: (R-88-599) ADOPTED AS RESOLUTION R-269714

Accepting the low bid of \$350,810 and awarding a contract to P & P Enterprises, Inc. for the construction of Parkside Neighborhood Park Development, Base Bid and Additive Alternate No. 1; authorizing the Auditor and Comptroller to transfer \$60,044 (\$56,044 from PSD Fund 15580 and \$4,000 from PSD Fund 15665) to CIP-29-264, Parkside Neighborhood Park - Development; authorizing the expenditure of not to exceed \$60,044 from CIP-29-264, Parkside Neighborhood Park - Development to supplement funds previously authorized by Resolution R-269042, adopted on August 10, 1987, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-9161)

(Skyline-Paradise Hills Community Area. District-4.)
CITY MANAGER SUPPORTING INFORMATION: This project will provide for the development of Parkside Neighborhood Park located at Parkside Avenue and Landscape Drive in the South Bay Terraces Community Area. The proposed development will include the following improvements: open play lawn, small children's play areas, picnic facilities, concrete walkways, multi-purpose court, safety lighting, landscaping and irrigation. 51 bid packages were issued and 4 bids were received on September 9, 1987. The low bid of \$350,810 from P & P Enterprises was 21.0 percent over the engineer's estimate of \$290,000. Reducing the scope of work to lower construction costs would have a significant impact on the recreational opportunities provided to the community by this facility. Awarding a contract to P & P Enterprises is recommended.

Aud. Cert. 8800419.

FILE LOCATION: CONT - P & P Enterprises, Inc. CONTFY88-1

COUNCIL ACTION: (Tape location: A160-190.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Ballesteros.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-102: (R-88-460) CONTINUED TO NOVEMBER 23, 1987

Authorizing the execution of a contract with California Pavement Maintenance, for slurry seal coating (Group 5) of various streets throughout the City; authorizing the expenditure of an amount not to exceed \$1,121,144 from Gas Tax Fund No. 302191, for the purpose of providing funds for the above contract; authorizing City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-7831)

CITY MANAGER SUPPORTING INFORMATION: On February 2, 1987, the

City Council approved specifications and authorized the Purchasing Agent to invite bids for slurry seal coating various streets (Resolution R-267580). The bid specifications offered bidders the option of concurrently bid in the FY '88 slurry seal program. The low bidder, California Pavement Maintenance, exercised this option and bid the 1988 program. Slurry seal coating is an interim surface treatment applied to asphalt streets at approximately 7-year intervals during the 21-year cycle between resurfacing. It consists of a viscous non-penetrating mixture of crushed rock, asphalt emulsion and water applied to swept streets in a thin layer to cap and seal the wearing surface and to correct minor defects. The proposed contract would provide for slurry sealing of \$31,940,690 square feet of streets constituting approximately 151 miles of streets throughout the City. Following is a summary of these streets by neighborhood: Downtown/Hillcrest/North Park/Normal

Heights/Logan Heights: 10 miles; East San Diego/Southeast San Diego/Paradise Hills/Encanto: 34 miles; Mission Hills/Old Town/Pt. Loma/Ocean Beach: 7 miles; Mission Beach/Pacific Beach/La Jolla/Bay Park: 27 miles; Clairemont/Serra Mesa/Tierrasanta: 17 miles; Del Cerro/Allied Gardens/San Carlos: 9 miles; Scripps Ranch/Mira Mesa/Del Mar Heights: 26 miles; Penasquitos/Rancho Bernardo/San Pasqual: 11 miles; South Bay/San Veidro: 10 miles

Bay/San Ysidro: 10 miles. Aud. Cert. 8800224.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A191-230.)

MOTION BY McCARTY TO CONTINUE ONE WEEK, AT HER REQUEST. GET A COMMITMENT FROM THE BUSINESS OWNERS THAT THEY WILL WORK WITH THE

CITY TO RESOLVE THE PROBLEMS AND REPORT BACK TO THE COUNCIL. REQUEST THAT THE CONTRACTOR BE PRESENT AT THE COUNCIL MEETING TO ANSWER QUESTIONS. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

# \* ITEM-103: (R-88-595) ADOPTED AS RESOLUTION R-269715

Awarding a contract to Aztec Landscape Co. for furnishing complete landscape maintenance of designated planted and paved center islands, street rights-of-ways, sidewalks and curbs and open space in the Mira Mesa Landscape Maintenance District, as may be required for a period of twelve months beginning December 1, 1987 through November 30, 1988 for an estimated cost of \$43,200, with options to renew the contract for four additional one-year periods, with a price escalation each year not to exceed 15 percent above prices in effect at the end of each prior year. (BID-9280) (Mira Mesa Community Area. District-5.)

FILE LOCATION: STRT M-128 CONTFY88-1 COUNCIL ACTION: (Tape location: A160-190.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Ballesteros.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

#### \* ITEM-104: (R-88-598) ADOPTED AS RESOLUTION R-269716

Awarding contracts for furnishing the City with turnout clothing, as may be required for a period of one year beginning September 1, 1987 through August 31, 1988, for an estimated cost of \$74,716.58, including tax and terms, with an option to renew the contracts for an additional one-year period with price increases not to exceed 10 percent during option period, as follows: (BID-9274)

- 1. San Diego Fire Equipment Co. for Items 3 and 4, Turnout Coats and Liners;
- 2. L. N. Curtis and Sons for Items 1 and 2, Turnout Pants and Liners.

FILE LOCATION: MEET CONTFY88-1 COUNCIL ACTION: (Tape location: A160-190.) CONSENT MOTION BY GOTCH TO ADOPT. Second by Ballesteros.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

#### 19871116

\* ITEM-105: (R-88-596) ADOPTED AS RESOLUTION R-269717

Inviting bids for the reconstruction of Euclid Avenue Drain on Work Order No. 118872; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the City Auditor and Comptroller to add CIP-11-244, Reconstruction of Euclid Avenue Drain as a CIP Project to the Fiscal Year 1988 Capital Improvement Budget; authorizing the Auditor and Comptroller to transfer \$65,000 from the Gas Tax Street Improvement Fund 302191 to CIP-11-244, Reconstruction of Euclid Avenue Drain; authorizing the expenditure of funds not to exceed \$65,000 from CIP-11-244, for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-9365)

(Mid-City Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: This project will replace an existing deteriorated 48-inch corrugated metal pipe culvert across Euclid Avenue with a 60-inch reinforced concrete pipe storm drain. The drain realignment will allow for a more direct flow between existing natural channels and alleviate private property erosion.

Aud. Cert. 8800418.

FILE LOCATION: W.O. 118872 CONT - J. E. Brokaw & Sons

Inc. CONTFY88-1

COUNCIL ACTION: (Tape location: A160-190.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Ballesteros.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-106: (R-88-839) ADOPTED AS RESOLUTION R-269718

Calling a public hearing to determine whether the public health, safety or general welfare requires the formation of an Underground Utility District to be known and denominated as the Catalina Boulevard (Canon Street to Orchard Street) Underground Utility District.

(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on Catalina Boulevard between Canon Street and Orchard Street. This is a scheduled project in the calendar year 1989 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. The total number of affected properties in this district is 21, of which 19 are single-family residential properties, and 2 are commercial or multi-family properties. A typical cost range for a licensed contractor to perform this conversion work on residential private property is \$700 to \$1,200. Conversion costs on commercial properties may vary from \$700 to several thousand dollars or more due to differences in service size and location. Council Policy 800-2 provides for the use of San Diego Gas & Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 8800395.

FILE LOCATION: STRT K-180

COUNCIL ACTION: (Tape location: A160-190.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Ballesteros.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

# \* ITEM-107: (R-88-922) ADOPTED AS RESOLUTION R-269719

Calling a public hearing to determine whether the public health, safety or general welfare requires the formation of an Underground Utility District to be known and denominated as the Hotel Circle North (Hotel Circle Place to Camino de la Reina) Underground Utility District.

(Mission Valley Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on Hotel Circle North between Hotel Circle Place and Camino de la Reina. This is a scheduled project in the calendar year 1989 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion

of their utilities on their parcel prior to removal of the overhead utilities. The total number of affected properties in this district is 12, all of which are commercial properties.

Conversion costs on commercial properties may vary from \$700 to several thousand dollars or more due to differences in service size and location. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 8800412.

FILE LOCATION: STRT K-179

COUNCIL ACTION: (Tape location: A160-190.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Ballesteros.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

# \* ITEM-108: (R-88-915) ADOPTED AS RESOLUTION R-269720

Resolution of Intention to acquire approximately 1.63 acres of Emerald Vista Extension for the San Diego Open Space Park Facilities District No. 1.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: Emerald Vista Extension is a portion of the Chollas Radio System, priority number 5, in Category A, on the Council's adopted open space retention list. These parcels, totalling 1.63 acres, are immediately adjacent to City-owned open space west of 56th Street. On November 21, 1983, Council adopted Resolution R-259663, approving an acquisition plan which included allotting up to \$5 million for Council District 4 parcels. The specific acquisition plan on these parcels, along with funds to have them appraised for purposes of acquisition for open space, was approved by the City Council May 26, 1987. This request is for \$150,000 to purchase these parcels at fair market value, plus funds to cover title, escrow and other miscellaneous costs.

FILE LOCATION: STRT OS-29

COUNCIL ACTION: (Tape location: A160-190.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Ballesteros.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

# \* ITEM-109: (R-88-894) ADOPTED AS RESOLUTION R-269721

Resolution of Intention to acquire 4.67 acres of Guymon Arms for the San Diego Open Space Park Facilities District No. 1.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: On November 21, 1983, the Council approved a revised open space retention list and gave direction on future open space appraisals for purposes of acquisition. Included in that direction was that \$5 million be allocated in each of Council Districts 3 and 4 to acquire open space and to "look to the Councilmember of the District" in identification of parcels to be acquired. City staff has since been working with District staff to meet the requirements of the Council directive. As part of our ongoing efforts to acquire quality open space, the parcel was discussed with District 4. Council Member Jones reviewed the parcel and recommended that it be added to the District 4 acquisition plan. The specific acquisition plan and funds to appraise this land for purposes of acquisition for open space was approved by the City Council September 15, 1986. This request is for \$611,000 to purchase this parcel at fair market value, plus funds to cover title, escrow and other miscellaneous costs.

Aud. Cert. 8800424.

FILE LOCATION: STRT OS-26

COUNCIL ACTION: (Tape location: A160-190.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Ballesteros.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

# \* ITEM-110: (R-88-913) ADOPTED AS RESOLUTION R-269722

Resolution of Intention to acquire approximately 4.58 acres of Kensington Hillsides Extension for the San Diego Open Space Park Facilities District No. 1. (Mid-City Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: On November 21, 1983, the Council approved a revised open space retention list and gave direction on future open space appraisals for purposes of acquisition. Included in that direction was that \$5 million be allocated in each of Council Districts 3 and 4 to acquire open space and to "look to the Councilmember of the District" in identification of parcels to be acquired. City staff has since been working with District staff to meet the requirements of the

Council directive. As part of our ongoing efforts to acquire quality open space the parcel was discussed with District 3. Council Member McColl reviewed the parcel, part of which is shown as open space in the Mid-City Community Plan, and recommended that it be added to the District 3 acquisition plan. The specific acquisition plan on this parcel, along with funds to have it appraised for purposes of acquisition for open space was approved by the City Council September 15, 1986. The system consists of two adjacent parcels, but funds available allow proceeding only on this parcel at this time. This request is for \$300,000 to purchase this parcel at fair market value plus funds to cover title, escrow and other miscellaneous costs. Aud. Cert. 8800423.

FILE LOCATION: STRT OS-27

COUNCIL ACTION: (Tape location: A160-190.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Ballesteros.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

# \* ITEM-111: (R-88-917) ADOPTED AS RESOLUTION R-269723

Resolution of Intention to acquire 2.93 acres of Paradise Canyon for the San Diego Open Space Park Facilities District No. 1.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: Paradise Canyon is priority number 27, in category B, on the Council's adopted open space retention list. This 2.93 acre parcel at the easterly end of Paradise Canyon is east of Deep Dell Road and south of Woodbine Way. On November 21, 1983, Council adopted Resolution R-259663, approving an acquisition plan which included allotting up to \$5 million for Council District 4 parcels. The specific acquisition plan on this parcel, along with funds to have it appraised for purposes of acquisition for open space, was approved by the City Council on May 26, 1987. This request is for \$59,000 to purchase this parcel at fair market value, plus funds to cover title, escrow and other miscellaneous costs. Aud. Cert. 8800426.

FILE LOCATION: STRT OS-28

COUNCIL ACTION: (Tape location: A160-190.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Ballesteros.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

# \* ITEM-112: (R-88-712) ADOPTED AS RESOLUTION R-269724

Authorizing the City Manager to enter into exclusive negotiations with Earl H. Carraway, the adjacent owner, for the sale of City-owned Sites 412 and 413, located on the south side of Skyline Drive, east of Woodman Avenue. (See City Manager Report CMR-84-497. Southeast San Diego Community Area. District-4.)

COMMITTEE ACTION: Reviewed by PFR on 10/28/87. Recommendation to approve the exclusive sale. Districts 2, 3, 5, 7 and 8 voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A160-190.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Ballesteros.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

### \* ITEM-113: (R-88-902) ADOPTED AS RESOLUTION R-269725

Authorizing the expenditure of an amount not to exceed \$3,000 from Open Space Bond Fund 79104 to have four additional parcels, totalling approximately 0.7 acres in Uptown Dove (Goldfinch) Canyon, appraised for purposes of acquisition for open space.

(Uptown Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: At a September 22, 1987 public hearing, Council directed the acquisition for open space of 14.8 acres of Dove (Goldfinch) Canyon. As further directed at that hearing, this request is for Council approval of inclusion of four additional parcels into the acquisition plan for the Fourth Open Space Bond Issuance and to authorize expenditure of \$3,000 from Open Space Bond Fund No. 79104 for appraisal costs on these parcels. The parcels, totalling approximately 0.7 acres, are located north of Lewis Street between Goldfinch and Falcon Streets. Aud. Cert. 8800422.

FILE LOCATION: STRT OS-20

COUNCIL ACTION: (Tape location: A160-190.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Ballesteros.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-114: (R-88-900) CONTINUED TO NOVEMBER 23, 1987

Authorizing the sale by negotiation of a portion of Section 18, T14S, R3W, S.B.M. for the sum of \$136,000 to Pardee Construction Company; authorizing the execution of a grant deed, granting to Pardee Construction Company said property; determining that no broker's commission shall be paid by the City on said negotiated sale. (See City Manager Report CMR-87-550 (Rev). North City West Community Area. District-1.)

### FILE LOCATION: --

COUNCIL ACTION: (Tape location: A123-265.)

MOTION BY WOLFSHEIMER TO CONTINUE ONE WEEK, AT HER REQUEST. REQUEST THAT THE CITY MANAGER REPORT BACK ON WHAT THE LAND USE WOULD BE AND HOW MANY DWELLING UNITS CAN BE PLACED ON THIS LAND.

Second by Cleator. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

# ITEM-115: (R-88-702) ADOPTED AS RESOLUTION R-269726

Authorizing the Auditor and Comptroller to pay the sum of \$1,710 from the General Fund 100, Planning Department (065) Organization 100, Account 4454, to El Indio Shops, Inc. for a special Planning Department Recognition and Awards Luncheon meeting held on August 26, 1987.

Aud. Cert. 8800447.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-370.)

MOTION BY WOLFSHEIMER TO ADOPT. REPORT BACK TO COUNCIL REGARDING THE REQUEST THAT THE DEPARTMENTS OBSERVE THE AUDITOR'S

LEVEL FOR FUNDING LIMITATIONS PER PERSON FOR AWARDS AND RECOGNITION LUNCHEONS AND DINNERS AND APPLY THE POLICY CITYWIDE TO EVERYONE. Second by Ballesteros. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

#### \* ITEM-116: (R-88-740) ADOPTED AS RESOLUTION R-269727

Excusing Deputy Mayor Gloria D. McColl from the September 23, 1987 meeting of the Council Committee on Public Facilities and Recreation, for the purpose of attending the Military Air Command tour of facilities from September 23 through 25, 1987; excusing Deputy Mayor McColl from all Council and Council Committee meetings from October 7 through 19, 1987, for the purpose of vacation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A160-190.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Ballesteros.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

# \* ITEM-117: (R-88-820) ADOPTED AS RESOLUTION R-269728

Excusing Deputy Mayor Gloria McColl from attending the Council meeting of Monday, October 19, 1987, for the purpose of vacation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A160-190.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Ballesteros.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

# \* ITEM-118: (R-88-819) ADOPTED AS RESOLUTION R-269729

Appointing Deputy Mayor Gloria D. McColl to the Board of ADAPT to replace former Council Member William Jones.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A160-190.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Ballesteros.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

## \* ITEM-119: (R-88-641) ADOPTED AS RESOLUTION R-269730

Authorizing the City Manager to enter into exclusive negotiations with Bill Bennett for a five year concession agreement for the purpose of operating a hang gliding concession at Torrey Pines City Park.

(See City Manager Penert CMP, 87, 527, Torrey Pines)

(See City Manager Report CMR-87-527. Torrey Pines Community Area. District-1.)

COMMITTEE ACTION: Reviewed by PFR on 10/28/87. Recommendation to approve the City Manager's recommendation. Districts 2, 3, 5, 7 and 8 voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A160-190.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Ballesteros.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

# \* ITEM-120: (R-88-808) ADOPTED AS RESOLUTION R-269731

Authorizing the execution of a sewer reimbursement agreement with Border Business Park, Incorporated, for Otay Mesa Sewer Facilities.

(See City Manager Report CMR-87-531. Otay Mesa Community Area. District-8.) WU-U-88-012.

FILE LOCATION: MEET CONTFY88-1

COUNCIL ACTION: (Tape location: A160-190.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Ballesteros.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

# \* ITEM-121: (R-88-893) ADOPTED AS RESOLUTION R-269732

Authorizing the expenditure of an amount not to exceed \$50,000 to supplement Resolution RR-264874 for the purposes of fulfilling the original contract for Sedimentation Basins 9 and 10 at the Point Loma Treatment Plant, CIP-46-088. (District-2.)

CITY MANAGER SUPPORTING INFORMATION: On January 21, 1986, the

City entered into an agreement with George S. Nolte and Associates to provide professional consulting engineering services for the design of Sedimentation Basins Nos. 9 and 10 at the Point Loma Wastewater Treatment Plant. Professional and Special Engineering Services, as outlined in the consultant agreement (RR-264874), was for \$892,948. However, inadvertently, only \$842,948 was approved. The consultant has encumbered the full \$892,948 and requests payment of the remaining amount. To bring the amount appropriated for the project in line with the original contract amount, approval of an additional \$50,000 is requested.

Aud. Cert. 8800404.

WU-U-88-036.

FILE LOCATION: MEET CCONTFY88-1 COUNCIL ACTION: (Tape location: A160-190.) CONSENT MOTION BY GOTCH TO ADOPT. Second by Ballesteros.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

# \* ITEM-122: (R-88-925) ADOPTED AS RESOLUTION R-269733

Authorizing the execution of a 10-year permit agreement with the City of Poway, which permit will allow that city to continue to operate and maintain a hiking/equestrian trail across a portion of City of San Diego-owned Mount Woodson.

(City of Poway.)

CITY MANAGER SUPPORTING INFORMATION: Three years ago, the City Manager issued the City of Poway a permit to construct, operate, and maintain a hiking/equestrian trail across the south side of Mount Woodson. The City of San Diego owns Mount Woodson, which is primarily used for communications installations. As part of its park and recreation program, the City of Poway has been developing a trail system in the open space areas in and around Poway. The Mount Woodson Trail is five miles long, six to eight feet wide, and is constructive of native soils and materials. One mile of the trail crosses City of San Diego property. The existing three-year permit is expiring, and the City of Poway has requested a renewal for a term of 10 years. As a courtesy to the City of Poway, the City of San Diego charged no fees for the original permit, and it is proposed that the new permit be granted on the same basis. The trails are open to the public free of charge and are not restricted to Poway residents. Beyond waiving the permit fees, the City of San Diego bears no expense for the trail system. The permit stipulates that the City of San Diego has the right to terminate the agreement at any time.

FILE LOCATION: LEAS - City of Poway; Mount Woodson LEASFY88-1

COUNCIL ACTION: (Tape location: A160-190.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Ballesteros.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

# \* ITEM-123: (R-88-898) ADOPTED AS RESOLUTION R-269734

Approving Change Order No. 2 dated September 14, 1987, issued in connection with the contract with Chilcote, Inc.

for Sewer Main Replacement Group 74 amounting to a net decrease in the contract price of \$34,948.

(Pacific Beach Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: Sewer Main Replacement Group 74 was awarded on November 18, 1986 to Chilcote, Inc. for a total cost of \$993,321. Change Order No. 1 resulted in a net increase of \$7,963.80 Change Order No. 1 included additional paving due to an abandoned gas line not shown on the plans that had loose backfill which, when excavating, caused undermining of additional pavement. Change Order No. 1 also included replacement of eleven sewer laterals not shown on the plans. Change Order No. 2 included a \$198 increase for adjustments in the actual length of pipe laid; a decrease of \$4,800 for adjustments in the bedding required; a decrease of \$25,000 for adjustments in backfill required; a decrease of \$5,355 for adjustments in temporary resurfacing required; an increase of \$9 for adjustments in the trench shoring required; all of a total net decrease of \$34,948.

WU-P-88-047.

FILE LOCATION: CONT - Chilcote, Inc. CONTFY88-1

COUNCIL ACTION: (Tape location: A160-190.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Ballesteros.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

## \* ITEM-124: (R-88-818) ADOPTED AS RESOLUTION R-269735

Approving Change Order No. 3, dated September 18, 1987 issued in connection with the contract between the City and Carolyn E. Scheidel, Contractor, for the construction of safety all-weather walkways Phase II amounting to a net increase in the contract price of \$7,401.04; authorizing the City Auditor and Comptroller to transfer \$7,401.04 from CIP-58-004.0, Annual Allocation - Miscellaneous Improvements on City Streets, Capital Outlay Fund 30245, to CIP-52-327, Safety All Weather Walkways - Phase II, for the purpose of funding this change order; authorizing the expenditure of an amount not to exceed \$7,401.04 from CIP-52-327, for the purpose of providing funds for the above project.

(Clairemont Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: On September 8, 1986, by Resolution R-266453, City Council awarded the construction contract to Carolyn E. Scheidel Contractor for the construction

of Safety All-Weather Walkways Phase II in the amount of \$777,777.77. Previous change orders authorized additional work necessary to meet existing field conditions. These changes have depleted the contingency funds for this project. Change Order No. 3 will upgrade the existing guardrail on the west side of Genesee Avenue between Mt. Hebert Avenue and Sauk Avenue. The guardrail was relocated as part of this project; however, current design standards require that 51 additional posts be installed. The cost of Change Order No. 3 is \$7,401.04, in addition 28 working days will be allowed for the time needed to process Change Order No. 2.

Aud. Cert. 8800378.

FILE LOCATION: CONT - Carolyn E. Scheidel, Contractor CONTFY88-1

COUNCIL ACTION: (Tape location: A160-190.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Ballesteros.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-200: (R-88-594) ADOPTED AS RESOLUTION R-269736

Accepting the low bid of \$12,181,052 and awarding a contract to C. E. Wylie Construction Co. for Lower Otay Filtration Plant Expansion, Base Bid Items A-1, A-2 and A-3; and Additive Bid Items E-1, E-2, E-3, E-4, E-5 and E-6; authorizing the Auditor and Comptroller to transfer \$521,052 within the Water Revenue Fund 41502 from the Unallocated Reserve 70679 to the Water Production Construction Program 70392, CIP-73-234, Lower Otay Filtration Plant - Expansion; authorizing the expenditure of not to exceed \$521,052 from CIP-73-234, Lower Otay Filtration Plant - Expansion, to supplement funds previously authorized by Resolution R-268313, adopted on May 11, 1987, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-8073)

(South San Diego, Paradise Hills, Otay Mesa and San Ysidro Community Areas. Districts 4 and 8.)

CITY MANAGER SUPPORTING INFORMATION: The Lower Otay Filtration Plant is the smallest of three water filtration plants owned and operated by the City. This project will expand the existing facilities from 15 million gallons per

day (MGD) to 40 MGD. There is a need to expand the plant based on increasing water demands in the Otay Service Area, which includes South San Diego, Paradise Hills, San Ysidro, and Otay Mesa. Presently, potable water for the Otay Service Area is supplied by a combination of local water from the Otay-Barrett-Morena Reservoir System and filtered water from the County Water Authority (CWA). Expansion of this facility will yield benefits through the optimum use of local water and reduce our dependence on purchased CWA water. Bids for the project were opened on August 4, 1987, and six bids were received. The low bid of C. E. Wylie Construction Company was for \$12,280,492, and the second low bid from Hunter Corporation was for \$13,547,900. The low bid of \$12,280,492 was 4.5 percent higher than the engineer's estimate of \$11,750,000. A total of 343 bid packages were issued. It is felt that readvertising for bids would not result in securing a lower bid and would simply delay the project. It is recommended that a contract be awarded to the low bidder, C. E. Wylie Construction Co., in the amount of \$12,181.052. \$12,181,052 reflects the deletion of Additive Bid Item E-7, Replacement of Existing Damaged Filter Underdrain Tiles, in the amount of \$99,440. It is anticipated that this work can be done for substantially less than the amount bid by the contractor.

Aud. Cert. 8800324. WU-P-88-026.

FILE LOCATION: CONT - C.E. Wylie Construction Co. CONTFY88-1

COUNCIL ACTION: (Tape location: F221-234.)

MOTION BY GOTCH TO ADOPT. Second by Struiksma. Passed by the

following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-201: (R-88-937) ADOPTED AS RESOLUTION R-269737

Council confirmation of the following appointments by the Mayor to serve as members of the Historical Site Board, for terms expiring as indicated:

NAME TERM EXPIRES Susan M. Hector March 1, 1989

(To replace Maria Elena Garcia, whose term has expired)

expired)

Harry W. Evans March 1, 1988

(To replace Diane

Barbolla-Rolland, who has resigned)

Gail Garbini March 1, 1989

(To replace Milford

Donaldson, whose term has

expired)

Vonn-Marie May March 1, 1989

(To replace Ronald E. Pekarek, whose term has

expired)

Marco G. Thorne March 1, 1988

(To replace Christine L. Andres, who has resigned)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F221-234.)

MOTION BY GOTCH TO ADOPT. Second by Struiksma. Passed by the

following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-202: (R-88-938) ADOPTED AS RESOLUTION R-269738

Nominating and electing the following persons to serve as members of the San Diego Data Processing Corporation Board of Directors for three-year terms expiring July 1, 1990:

NAME CATEGORY REPRESENTED

Lucia Smalheer General Business

(To replace Bruce Henderson,

who resigned)

Paul Mutascio Data Processing

(To replace Bernard W. Roos, who cannot be reappointed)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F235-290.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Gotch. Passed by the

following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-not present.

ITEM-203: (R-88-806) ADOPTED AS RESOLUTION R-269739

Adoption of a Resolution making preliminary determinations and appointments relating to a Public Financing Feasibility Study for the Black Mountain Road Assessment District.

(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: City staff is currently working with various developers within the Black Mountain Road corridor between the Mira Mesa and Penasquitos East Communities to construct new, high-capacity roadways in the area. These developers have requested that a study be performed as to the feasibility of constructing these roadways through assessment district proceedings. Such a proceeding would presumably allocate the costs of the roadways such that they reflect the benefit received from the participating properties. In 1983, such a scenario was discussed. At that time, funds were collected from the Pardee Construction Company, The Fieldstone Company, World Evangelism and Shapell Industries so that now there is approximately \$50,000 specifically for the purpose of an assessment district for these roadways. An amount not to exceed \$35,000 will be expended for assessment engineering services, and \$5,000 for Bond Counsel services. It is recommended that Willdan Associates and Brown and Diven be retained for each of these services. Additionally, \$10,000 is being allocated for any in-house participation such as the managing of the consultant agreements. This action will permit the City Manager to execute an agreement with an assessment engineer and a Bond Counsel to perform the aforementioned feasibility study, utilizing the funds contributed earlier by the developers.

Aud. Cert. 8800322.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F291-310.)

MOTION BY WOLFSHEIMER TO ADOPT AND REQUEST STAFF TO CHECK INTO THE POSSIBILITY OF EXTENDING THE STUDY ALL THE WAY UP TO THE BRIDGE AND OVER THE TWO SECTIONS OF THE BRIDGE ITSELF. CONSIDER GETTING PARTICIPATION FOR THE STUDY FROM DEVELOPERS IN THE AREA AND ASSESSMENT AND REIMBURSEMENT FROM FBA (FACILITIES BENEFIT ASSESSMENT). Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-not present.

#### ITEM-204:

Alternative Resolutions regarding the Sears Site: (See Joint City Manager/Planning Report 87-590, Planning Department Report PDR-87-504, memorandum from the Deputy City Manager dated 11/4/87. Uptown Community Area. District-2.)

Subitem-A: (R-88-939 Rev.2) ADOPTED AS AMENDED AS RESOLUTION R-269740

Declaring the proposed land use criteria suggested by the Sears Site Evaluation Committee, the Planning Department and the Planning Commission be used as an indication of suggested development "guidelines" rather than "requirements"; authorizing the City Manager to solicit proposals pursuant to a draft Request for Proposals for a mixed use development of the entire Sears parcel with the intent of selling the site and closing escrow by June 30, 1988.

#### Subitem-B: (R-88-940) FILED

Approving the recommendations in the draft Sears Site Development Program with the following changes:

- 1. Limit ground level retail use to 60,000 square feet;
- 2. Limit upper floor office or limited retail use to 20,000 square feet. Allow this use to increase by an additional 40,000 square feet conditioned upon the provision of a matching amount of upper story residential use in a mixed use structure;
- 3. Supplement the permitted ground floor commercial uses; Authorizing the City Manager to solicit proposals pursuant to a draft Request for Proposals with paragraph VIII modified to reflect the above action.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C198-E275.)

MOTION BY CLEATOR TO ADOPT AS AMENDED AS FOLLOWS: 1. APPROVE THE PLANNING COMMISSION RECOMMENDATION REGARDING LAND USE AND DESIGN OBJECTIVES SET FORTH IN THE PLANNING REPORT NO. 87-590, BUT HAVE SOME FLEXIBILITY IN CONSIDERING DEVELOPERS' PROPOSALS THAT MAY VARY FROM THE ABOVE LAND USE AND DESIGN CRITERIA. 2. ADOPT RECOMMENDATIONS OF THE CITY MANAGER REGARDING THE FORM OF

THE REQUEST FOR PROPOSALS, SUBJECT TO THE FOLLOWING REVISIONS:
A) ESTABLISH A MINIMUM SEALED BID OF \$9.5 MILLION; B) ESTABLISH
A COMMITTEE TO REVIEW THE PROPOSALS, RECOMMEND A DEVELOPER, AND
MONITOR THE DEVELOPMENT APPROVAL PROCESS, CONSISTING OF THE
HILLCREST BUSINESS IMPROVEMENT ASSOCIATION, THE UPTOWN
COMMUNITY

PLANNERS, THE REAL ESTATE ADVISORY BOARD, AND THE SEARS SITE REVIEW COMMITTEE; C) HAVE A COMPLETION GOAL OF JUNE 30, 1988; AND D) DIRECT THE CITY MANAGER TO GO BACK AND LOOK AT THE

AGREEMENT WITH SEARS TO DETERMINE IF THE CITY HAS ANY RECOURSE FOR THEM NOT DIVULGING CERTAIN INFORMATION TO US REGARDING THE BUILDING HAVING ASBESTOS AND BEING BUILT ON LOOSE FILL. 3. ASK THE DEVELOPER TO PROVIDE SOME SORT OF STREET IMPROVEMENTS AS WOULD BE RECOMMENDED BY THE SEARS SITE COMMITTEE. 4. IF A COMMUNITY CENTER IS APPROVED, INDICATE IN THE RFP THAT THE CITY WOULD WANT DEDICATION OF THAT LAND. 5. MAKE A PROPOSAL IN THE RFP WHEREBY THE RESIDENTIAL PORTIONS WOULD BE SOLD OFF AND THE RETAIL PORTIONS WOULD BE RETAINED BY THE CITY OF SAN DIEGO TO UTILIZE THE INCOME OVER A PERIOD OF YEARS. 6. ALLOW SOME KIND OF FLEXIBILITY IN THE RFP SO THAT THE CITY COULD BOTH ASK FOR A SALE AND A COMBINATION OF LEASE SALE. 7. ACCEPT AND FOLLOW THE SCHEDULE SUBMITTED BY JOHN THELAN. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

### ITEM-205:

Matters relative to the Interim Development Ordinance (IDO):

19871116

Subitem-A: (R-88-1097) ADOPTED AS RESOLUTION R-269742

Comprehensive Update on the status of the Interim Development Ordinance including consideration of options for replenishing the reserve to allow units for variance hardship cases.

(See Planning Department Report PDR-87-559.)

Subitem-B: TRAILED AS UNFINISHED BUSINESS TO TUESDAY, NOVEMBER 17, 1987

In the matter of necessary budget amendments to accommodate additional IDO Administrative needs. Staffing adjustments would require an Appropriations Ordinance Amendment.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B015-C197.)

MOTION BY McCARTY TO ADOPT THE ALTERNATIVE PROCEDURE FOR IDO (INTERIM DEVELOPMENT ORDINANCE) VARIANCES SUBMITTED BY MAYOR O'CONNOR AS FOLLOWS: "EACH VARIANCE TO BE HEARD ON A CASE-BY-CASE BASIS, AND IF THE PROJECT IS APPROVED BY CITY COUNCIL, THE RESOLUTION OF APPROVAL WOULD INCLUDE AN AMENDMENT TO THE ALLOCATION IN SCHEDULE A. THE ALLOTMENT TO THE PROJECT WOULD COME FROM ONE OF TWO PLACES - 1) IF THE COMMUNITY ALLOCATION HAS UNITS REMAINING IN THE YEAR, THE VARIANCE

ALLOTMENT WOULD BE SUBTRACTED FROM THE ALLOCATION OF A FUTURE QUARTER. THIS WOULD ASSURE THAT THE TOTAL DID NOT EXCEED 8,000, AND THAT FUTURE ALLOTMENTS FROM THE COMMUNITY WOULD NOT EXCEED

THE OVERALL ANNUAL ALLOCATION; 2) IF THE COMMUNITY ALLOCATION HAS NO UNITS REMAINING IN THE YEAR, THEN THE VARIANCE ALLOTMENT WOULD BE SUBTRACTED FROM THE UNUSED ALLOCATION OF ANOTHER COMMUNITY IN THE CURRENT QUARTER, OR FROM THE FUTURE ALLOCATION OF ANOTHER COMMUNITY. THIS WOULD ASSURE THAT THE TOTAL ALLOCATION DID NOT EXCEED 8,000, BUT WOULD ALLOW SOME COMMUNITIES TO EXCEED THEIR QUARTERLY ALLOCATIONS, WHILE OTHERS WOULD HAVE LESS THAN THE ORIGINAL ALLOCATION." Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

# ITEM-206: (O-88-74) HEARING APPROVED AS AMENDED

First public hearing in the matter of:

Amending Ordinance O-16916 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1987-88 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Documents No. OO-16916-1 and No. OO-16916-2, as amended and adopted therein, by adding to the personnel authorization of the Treasurer's Department (052), three (3.0) Collection Investigator I positions and two (2.0) Clerical Assistant II positions; authorizing the City Auditor and Comptroller to increase the Treasurer's Department Appropriation (052) by \$120,000 to be recovered by new additional revenue from collection activity, for the purpose of fully funding the above authorized positions and related nonpersonnel expenditures for Fiscal Year 1988.

CITY MANAGER SUPPORTING INFORMATION: City Manager Report CMR-87-421, dated September 2, 1987, described the growing backlog of delinquent accounts within the City Treasurer's Collection Program. The addition of three professional collectors and two clerical assistants will enable the Treasurer to effectively "work" all accounts so as to maximize revenue which is due to the City. It is estimated that the new positions will generate between \$240,000 and \$475,000 in additional revenues annually. These revenues are largely non-tax revenues, and therefore not subject to spending limitations.

Aud. Cert. 8800392.

NOTE: See Item 333 on the docket of Tuesday, November 17, 1987

for the Introduction and Adoption of the Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: F311-355.)

MOTION BY GOTCH TO APPROVE THE HEARING AND REVIEW THE COLLECTION

INVESTIGATOR I POSITIONS AT THE TIME OF THE BUDGET HEARINGS.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Cleator-not present, McColl-yea, District

4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-not present.

#### ITEM-207:

(Continued from the meeting of November 2, 1987, Item 203 B and C, at Council Member McCarty's request, for staff to revise the ordinance and return to Council on November 16, 1987.)

Amending the SRO (Single Room Occupancy) Regulations of the San Diego Municipal Code by:

- 1) Adding the SRO Hotel Preservation regulations which would restrict the demolition and conversion of residential hotels based on their supply level; and
- 2) Adding the SRO Hotel Permanent Resident Relocation Assistance regulations concerning provision of relocation assistance to permanent residents of residential hotels. (City-wide.)

# Subitem-A: (O-87-253 Rev. 2) INTRODUCED AS AMENDED, TO BE ADOPTED NOVEMBER 30, 1987

Introduction of an Ordinance amending the San Diego Municipal Code pertaining to the relocation regulations.

Subitem-B: (R-88-889) ADOPTED AS RESOLUTION R-269743 Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-86-0684 has been completed in compliance with the California Environmental Act of 1970 and State guidelines, and that

said declaration has been reviewed and considered by the Council.

FILE LOCATION:

Subitem A--;

Subitem B MEET

COUNCIL ACTION: (Tape location: E661-F220.)

Hearing began at 5:50 p.m. and halted at 6:05 p.m.

Testimony in favor by Catherine Rodman.

Testimony in opposition by Charles Gill.

MOTION BY WOLFSHEIMER TO SUSPEND THE RULES AND EXTEND THE TIME OF THE COUNCIL MEETING TO 6:30 P.M. Second by Ballesteros.

Passed: Yeas-1,2,3,5,6,7,8,. Not present-M. Vacant-4.

MOTION BY McCARTY TO INTRODUCE SUBITEM A AS AMENDED ON PAGE 7 OF THE ORDINANCE UNDER SECTION 101.1924 IN THE SECOND SENTENCE TO

READ, "BENEFITS PROVIDED BY SECTIONS 101.1925 A AND B, AND

101.1926 II.A AND B ARE NOT REQUIRED...", AND ADOPT SUBITEM B.

Second by Ballesteros. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant,

Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor

O'Connor-not present.

ITEM-S400: ADOPTED AS RESOLUTION R-269897

Recognizing the San Diego Collegiate Council.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A041-080.)

MOTION BY McCARTY TO APPROVE. Second by Gotch. Passed by the

following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea,

Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S401: CONTINUED TO JANUARY 19, 1988

(Continued from the meeting of November 9, 1987, Item S403,

at the City Manager's request, for further review.)

Two actions relative to Penasquitos East - Facilities

Benefit Assessment:

(See City Manager Report CMR-87-538. Penasquitos East

Community Area. District-1.)

Subitem-A: (R-88-933)

Approving the Penasquitos East Public Facilities Financing

Plan and Facilities Benefit Assessment.

Subitem-B: (R-88-934)

Resolution of Intention to designate an area of benefit in

Penasquitos East and setting the time and place for holding

a public hearing.

COMMITTEE ACTION: Reviewed by TLU on 11/9/87. Recommendation

to continue the discussion of the FBA and Financing Plan.

Council Member Wolfsheimer is to prepare an alternate Resolution with the assistance of the City Attorney indicating the various changes she desires to be made to the Financing Plan and the FBA. The Committee also continued the Transportation Phasing Plan.

FILE LOCATION: STRT FB-5

COUNCIL ACTION: (Tape location: A081-135.)

MOTION BY McCARTY TO CONTINUE TO JANUARY 19, 1988, AT CITY

MANAGER'S REQUEST. Second by Ballesteros. Passed by the

following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,

District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea,

Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S402: (R-88-765 Rev.1) ADOPTED AS RESOLUTION R-269744

#### 19871116

(Continued from the meetings of October 26, 1987, Item 204, and November 9, 1987, Item 201; last continued at the City Manager's request for further review.)

Authorizing the City Manager to execute six agreements with community agencies to operate Juvenile Diversion Services for the period of November 1, 1987 through June 30, 1987 at the funding levels recommended by the Public Services and Safety Committee on November 4, 1987 as follows:

Harmonium, Inc., \$57,605

Neighborhood House, Inc. 73,962

San Diego Youth Involvement 147,079

Project, Inc.

Social Advocates for Youth 61,157

Trajabadores De La Raza, Inc. 20,000

Youth for Progress, Inc. 53,707

Authorizing the Auditor and Comptroller to transfer \$20,000 from the General Fund 100 to the Human Care Services Special Fund 19660 to operate Juvenile Diversion Programs; authorizing the Auditor and Comptroller to transfer an amount not to exceed \$55,127 from CDBG Fund 18522, Dept. 5864, Org. 6408; \$53,707 to CDBG Fund 18522, Dept. 5864, Org. 6404; \$1,420 to CDBG Fund 18522, Dept. 5864, Org. 6412; authorizing the Auditor to transfer \$71,371 from the Human Care Services Special Fund 19660 to the General Fund 100, Dept. 058; authorizing the expenditure of not to exceed \$413,510 (\$358,383 from the Human Care Services Special Fund 19660; \$53,707 from CDBG Fund 18522, Dept. 5864, Org. 6404 and \$1,420 from CDBG Fund 18522, Dept. 5864, Org. 6412) solely and exclusively to operate six

Juvenile Diversion Services.

(See City Manager Report CMR-87-503; memorandum from Maureen Stapleton, Deputy City Manager, dated 10/29/87.)

COMMITTEE ACTION: Reviewed by PSS on 11/4/87. Recommendation that the following projects be funded at the current level minus \$7,104 to be divided evenly among them: Neighborhood House; San Diego Youth Involvement Project, Inc.; Social Advocates for Youth, Inc.; Youth for Progress, Inc. Recommendation to fund Harmonium, Inc. at \$59,026 and Trajabadores De La Raza at \$20,000 to be funded from previous allocations for medical supplies for the Rescue Mission. Direction to the City Manager to report back on programs to assist youth in other geographic areas such as in District 3. Districts 1, 2, 3, 7 and 8 voted yea.

CITY MANAGER SUPPORTING INFORMATION: On August 5, 1987 the Public Services and Safety Committee directed the City Manager to issue a Request for Proposals (RFP) for juvenile diversion services. The RFP was issued n August 21, 1987. Thirteen responsive proposals, totaling in excess of \$1.1 million, were received by the submittal deadline. The proposals were reviewed by in independent panel based upon criteria which is consistent with Council Policy 300-7. The Manager recommended that the City of San Diego negotiate contracts with the following five non-profit organizations in the amounts shown: (1) Harmonium, Inc. - \$54,026, (2) Neighborhood House Association, INC. - \$97,945; (3) San Diego Youth Involvement Project,

Inc. - \$148,500; (4) Trabajadores de la Raza - \$31,039; and (5)

Youth for Progress, Inc. - \$62,000. On November 4, 1987 the Manager presented his funding recommendations to the Public Services and Safety Committee for discussion. The Committee adopted a motion to modify the Manager's recommendations. The Committee's motion was to negotiate contracts with the following six non-profit organizations in the amounts shown: (1) Harmonium,

Inc. - \$57,605; (2) Neighborhood House Association,

Inc. - \$73,962; (3) San Diego Youth Involvement Project,

Inc. - \$147,079; (4) Social Advocates for Youth,

Inc. - \$61,157; (5) Trabajadores de la Raza, Inc. - \$20,000; and (6) Youth for Progress, Inc. - \$53,707. the Manager will present the Committee's funding recommendations to the full Council for discussion on NOVEMBER 16, 1987.

Aud. Cert. 8800469.

MEET CONTFY88-6 FILE LOCATION:

(Tape location: E276-660.) COUNCIL ACTION:

MOTION BY GOTCH TO SUSPEND THE RULES AND EXTEND THE COUNCIL MEETING PAST 5:30 P.M. TO 6:00 P.M. Second by Struiksma.

Passed: Yeas-1,2,3,5,6,7,8. Not present-M. Vacant-4. MOTION BY McCARTY TO APPROVE THE PS&S (PUBLIC SERVICES AND SAFETY) COMMITTEE RECOMMENDATION. DIRECT THE CITY MANAGER TO LOOK AT PROGRAMS TO ASSIST YOUTHS IN OTHER AREAS OF THE CITY AND REPORT BACK TO THE PS&S COMMITTEE IN JANUARY. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

# ITEM-S403: (O-88-77) CONTINUED TO NOVEMBER 23, 1987

Introduction of an Ordinance amending Chapter II, Article 4 of the San Diego Municipal Code by amending Sections 24.0105, 24.1102 and 24.1103 relating to providing retirement benefits of CERS Plan to Safety Members from and after January 1, 1988 and other related matters; amending Section 24.0515 to delete Workers Compensation offset for Safety Members effective January 1, 1988; amending Sections 24.0103 and 24.0301 relating to final compensation for Safety Members and contributions in connection therewith; amending various sections in connection with the above changes to correct and clarify existing sections and provisions.

CITY MANAGER SUPPORTING INFORMATION: Last spring in Closed Session the Council approved changes in retirement benefits for Safety Employees which were then negotiated with the Police Officers Association and Local 145 (Fire Fighters). These changes include restoring the benefit levels in the City Employee Retirement System to all Safety Employees and increasing employee contribution rates to pay for these benefits (effective January 1, 1988); eliminating the Worker's Compensation offset for Safety disability retirements (effective January 1, 1988), and using the highest one year to calculate retirement benefits for Safety Employees retiring after July 1, 1988 and increasing employee contributions. These changes have been included in labor agreements with P.O.A. and Local 145. The Retirement Board has approved these changes. The changes in benefits were voted upon by the Safety Members as required by the Charter. The members voted 1868 for the changes and 23 against.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A081-135.)

MOTION BY CLEATOR TO CONTINUE FOR ONE WEEK, AT HIS REQUEST.

Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant,

Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S404: CONTINUED TO NOVEMBER 23, 1987 (Continued from the meeting of November 9, 1987, Item 105, at Council Member McCarty's request, for further review.) Two actions relative to vacating the street reservation within Lot 73 of San Carlos Estates Unit No. 2, Map-4884: (Navajo Community Area. District-7.)

Subitem-A: (R-88-816)
Vacating the street reservation within Lot 73 of San Carlos Estates Unit No. 2, Map-4884.

Subitem-B: (R-88-817)

Authorizing the execution of a quitclaim deed, quitclaiming to Denis Vanier and Dinoo J. Vanier, as owners of Lot 73 of San Carlos Estates Unit No. 2, Map-4884, affecting the revestment of those abutter's rights of access in and to Lot 73 of San Carlos Estates Unit No. 2, Map-4884, relinquished to the City.

CITY MANAGER SUPPORTING INFORMATION: The affected property owner has requested the vacation and the revestment of access rights to remove the encumbrances affecting the easterly 44 percent of Lot 73 in order to accommodate the construction of a proposed tennis court. The affected property currently has an existing single-family residence on the westerly portion of the property. The applicant's property is located within the Navajo Community Plan area and is situated in a R-1-10,000 Zone. The property is 2.65 acres (115,434 square feet) of which 54 percent (approximately 62,300 square feet) is within the Hillside Review Overlay Zone. The area proposed for vacation is 1.16 acres and entirely within the Hillside Review Overlay Zone. A maximum of 5 additional units could possibly be constructed as a result of this vacation if the property were to be resubdivided. However, due to the adverse topography, proposed usage, and the existing improvements on the property, no increase in density is anticipated. The Planning Department has no objection to the vacation and the Planning Commission recommended approval on July 2, 1987 by a 5-0 vote. The existing street reservation is situated on the steep slopes of Lot 73 and extends northerly and briefly into Lot 72. The street reservation does not contain public or franchise facilities and was granted by subdivision in 1961 to provide future slope rights and street right-of-way for

a proposed extension of Park Ridge Boulevard to the north. The area to the south was subdivided in 1980 (Del Cerro Shores Subdivision) and no provisions were incorporated to utilize this reservation for street purposes. In 1982, the Navajo Community Plan was amended which led to the elimination of the Park Ridge Boulevard extension from the Community Plan. Staff review has indicated that the street reservation is no longer needed for present or prospective public use and may be summarily vacated.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: F356-475.)

MOTION BY McCARTY TO CONTINUE TO NOVEMBER 23, 1987, AT JIM

CRUMLEY'S REQUEST. Second by Gotch. Passed by the following

vote: Wolfsheimer-yea, Cleator-not present, McColl-yea,

District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea,

Ballesteros-not present, Mayor O'Connor-not present.

# ITEM-S405: (R-88-954) ADOPTED AS RESOLUTION R-269745

Directing the City Manager to take all necessary actions to utilize \$100,000 from the Wetlands Fund for the hiring of an independent park planning consultant for the San Dieguito River Valley, to be expended over a two to three year period; authorizing the expenditure of an amount not to exceed \$100,000 from the wetlands for the purpose of providing funds for the above purpose.

(District-1.)

Aud. Cert. 8800450.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F221-234.)

MOTION BY GOTCH TO ADOPT. Second by Struiksma. Passed by the

following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

# ITEM-S406: (R-88-955) ADOPTED AS RESOLUTION R-269746

Endorsing Alternative A of Planning Department Report PDR-87-499 as the recommended land use alternative for planning purposes for the lower San Dieguito River Valley; declaring that the concept granting Conditional Use Permits for projects which are specifically designed for compatibility with the development of the San Dieguito River Valley Regional Park should be considered in such planning efforts; supporting the utilization of the existing alignment of SA 728 (along San Dieguito Road, El

Camino Real and Via de la Valle) and opposing any off-ramps in the San Dieguito River Valley area; determining that this endorsement of Alternative A is conceptual only and shall in no way affect the rights of property owners in the Lower San Dieguito River Valley to utilize and develop their property consistent with applicable laws and regulations.

(District-1.)

COMMITTEE ACTION: Reviewed by TLU on 10/12/87. Recommendation to accept Alternative A as the recommended alternative but retain the option to make additions or modifications to it.

Utilize the existing alignment of SA 728 and oppose any off-ramp in the San Dieguito River Valley area. Allow appropriate Conditional Use Permit uses to be provided for in the future.

Districts 1,6,7 and 8 voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A371-609.)

MOTION BY GOTCH TO ADOPT. Second by Wolfsheimer. Passed by the

following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

## **NON-DOCKET ITEMS:**

ITEM-ND-1: (R-88-1078) TRAILED AS UNFINISHED BUSINESS TO NOVEMBER 17, 1987

Declaring November 21, 1987 Todd Santos Day:

FILE LOCATION: --

COUNCIL ACTION: (Tape location: F501-520.)

#### PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO CITY MANAGER

From Council Member McCarty regarding use of Building 36 in Balboa Park as temporary jail facilities.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: F525-590.)

# ADJOURNMENT:

By common consent, the meeting was adjourned by Deputy Mayor McColl at 6:30 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: F601).